

LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

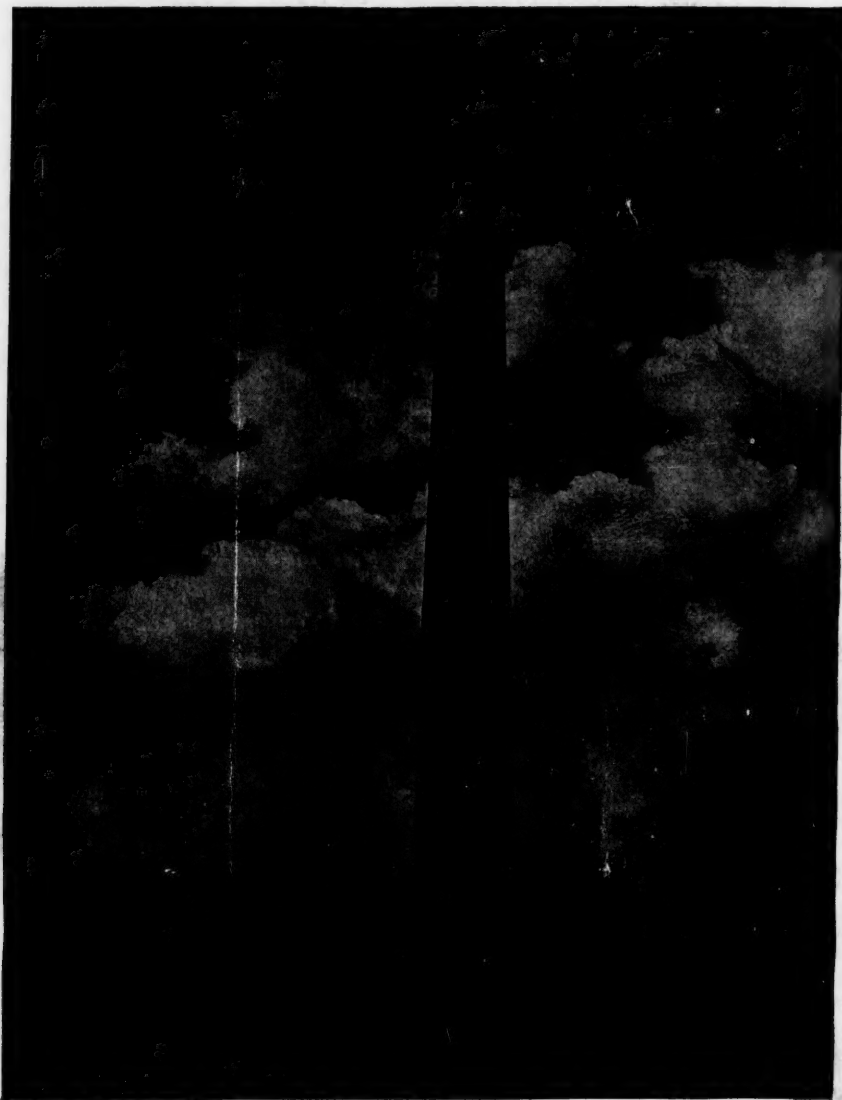


PHOTO BY HORYDCZAK, WASHINGTON, D. C.

THE NATIONAL MONUMENT TO OUR FIRST PRESIDENT



NATIONAL RECOVERY NATIONAL RELIGION
REGULATING HUMAN CONDUCT BY STATUTE
20 CENTS A COPY WASHINGTON, D. C.



Religious Liberty Association

DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D. C. (secretary, C. S. Longacre; associates, H. H. Votaw and M. C. Taft), or any of the affiliated organizations given below:

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LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

VOL. XXVIII, NO. 4, FOURTH QUARTER, 1933

CHARLES S. LONGACRE, Editor

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CONTENTS

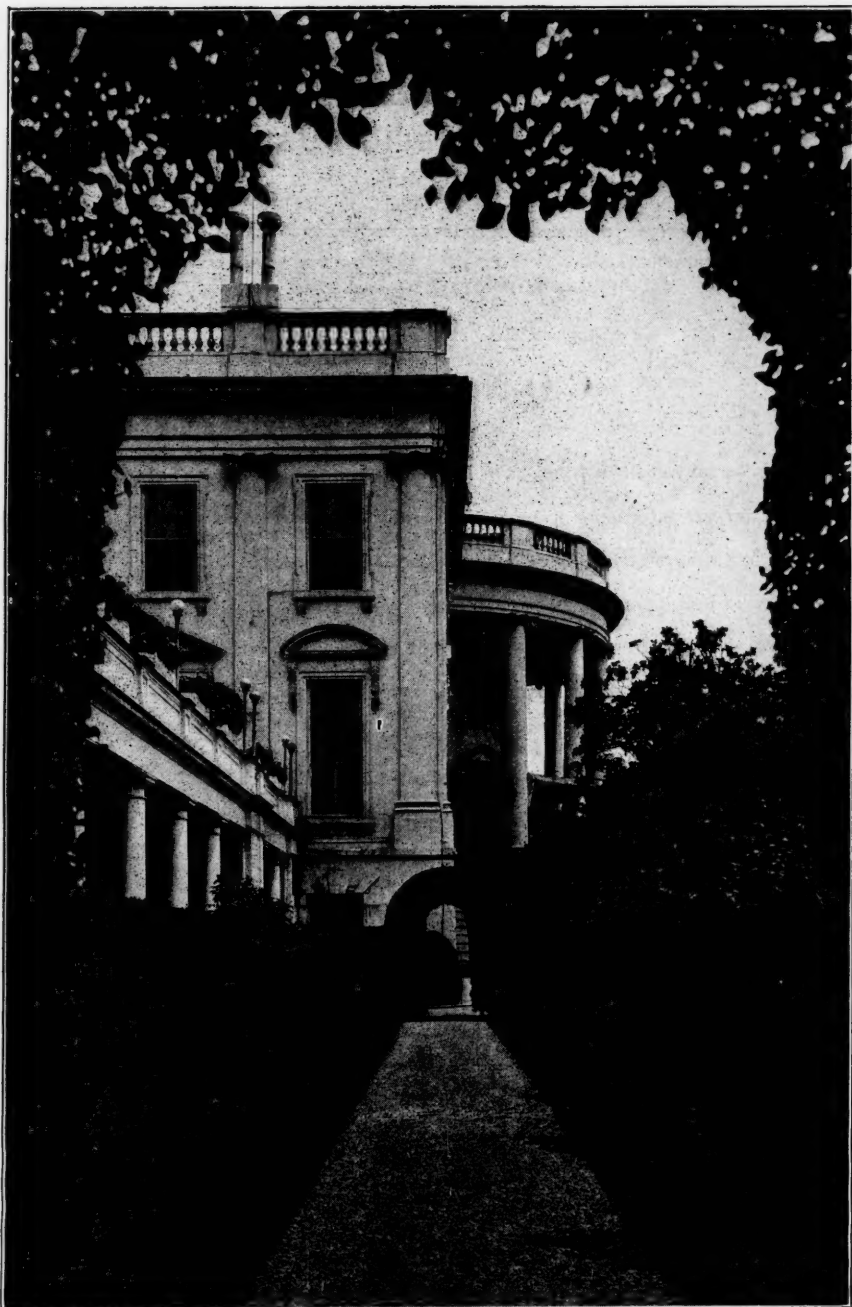
| | |
|---|--------------|
| A VIEW OF THE SOUTHWEST CORNER OF THE WHITE HOUSE | Frontispiece |
| MUCH-AGITATED QUESTION SUBMITTED FOR NATIONAL RECOVERY | 99 |
| DOES THE UNITED STATES HAVE A NATIONAL RELIGION? | 102 |
| LAWFUL TO SELL BEER ON SUNDAY, BUT NOT SODA WATER | 104 |
| LUTHERANS FAVOR REPEAL OF SUNDAY LAWS OF PENNSYLVANIA | 105 |
| IS THERE HOPE FOR THE "CHRISTIAN STATESMAN"? | 106 |
| TEACHING CHRISTIANITY IN THE PUBLIC SCHOOLS | 108 |
| REGULATING HUMAN CONDUCT BY STATUTE | 109 |
| BAPTIST MEN'S BIBLE CLASS APPRECIATES "LIBERTY" | 110 |
| "RESOLVED, THAT PENNSYLVANIA RETAIN HER SUNDAY LAWS" | 112 |
| SHOT FOR FISHING ON SUNDAY | 121 |
| WHERE CIVIL GOVERNMENT IS HELPLESS | 124 |
| THE FUTILITY AND HARMFULNESS OF SUNDAY LAWS AN UNBATED HOOK | 125 |
| NEWS AND COMMENT | 127 |
| SPARKS FROM THE EDITOR'S ANVIL | 128 |

Published Quarterly by the

REVIEW AND HERALD PUBLISHING ASSN., TAKOMA PARK, WASHINGTON, D. C.

Entered as second-class matter May 1, 1906, at the Post Office at Washington, D. C., under the Act of Congress of March 3, 1879.

SUBSCRIPTION RATES.—One year, 35 cents; three years (or 3 subscriptions, 1 year), \$1.00; five or more copies, mailed by publishers to five addresses or to one address, postpaid, each 9 cents. No subscriptions for less than one year received. Remit by Post Office Money Order (payable at Washington, D. C., post office), Express Order, or Draft on New York. Cash should be sent in Registered Letter. When a change of address is desired, both old and new addresses must be given. No extra charge to foreign countries.



THEO. KORYDCZAK

A View of the Southwest Corner of the White House

In these beautiful surroundings, Franklin D. Roosevelt, our Chief Executive, works untiringly for National Recovery, and the well-being of our citizens.



Law Between Industry, Peace, and Truth on One Side, and Fraud, Discord, and Violence on the Other

F. DIELMAN, ARTIST

Much-Agitated Question Submitted for NATIONAL RECOVERY

UNDER the National Recovery Act passed by Congress, giving the President of the United States power to formulate and put into execution codes limiting the hours of work for the day, the number of days each week, and setting a minimum wage scale for the employees in the various industries and business establishments throughout the country, the much-agitated question of compelling everybody to observe Sunday has been introduced into the codes which have been submitted by some of the business concerns.

For many years this question has been a live one before Congress and our various State legislatures. Many of the States do have compulsory Sunday observance laws upon their statute

Some Concerns Suggest a National Sunday Observance Code



Would Liberty of Conscience Be Jeopardized?

By C. S. Longacre

books. But most of these Sunday laws have been unenforced, and are violated by practically everybody each Sunday. While nearly 150 compulsory Sunday observance bills have been introduced into Congress during the past forty-five years, yet so far Congress has refused to place such a law upon the Federal statute books for the nation at large, or even to apply to the people in the District of Columbia, over which the Federal Government holds direct jurisdiction.

If the President of the United States, under the arbitrary powers which have been granted him to formulate and enforce codes to regulate the business of the whole country, decides to adopt the compulsory Sunday observance codes which have been submitted by some of the in-

dustries and business establishments, a most dangerous national legal precedent will have been established. It is bound to lead to unjust discrimination and persecution of all religious sects that observe another day than Sunday as holy time. The ostensible objective of such a code may not be to persecute, but that is what the inevitable effect will be for all who observe another day than Sunday as a sacred day. It will mean that they will be compelled by force of circumstances to rest two days each week, the code requiring them to rest on Sunday, and their religion requiring rest upon the day they believe to be sacred.

Contravenes the Constitution

This proposed code for compelling all to rest on Sunday would be a dangerous assault upon the constitutional guarantees vouchsafing religious liberty to each individual, and it constitutes an invasion of the property rights of every individual through unjust legislative discrimination. It is an arbitrary restriction by law which operates in favor of certain sects and to the detriment of others.

The plea that the government is justified in legislating in favor of the majority on the question of Sunday observance, as against the interests and rights of the minority, is entirely contrary to American ideals of civil government and its proper functions. In religious matters the rights of the minority are just as sacred as the rights of the majority. All citizens are supposed to stand on an equality before the civil law and the bar of justice.

It is not the prerogative of the Federal Government to decide which day of the week shall be observed by its citi-

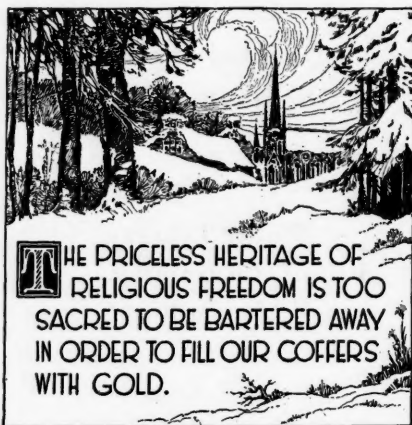
zens as a day of rest and worship, or whether all days shall be alike holy. This is a religious matter upon which good people differ, and it is not for the civil government to settle it by law. In religious matters the conscience should be left free from governmental interference. The Federal Government should remain neutral on all religious questions, so that every citizen may enjoy his full civil and religious rights without any legal discrimination against his faith and his right to procure property on an equality with every other citizen. It was for the vindication of these inalienable rights of the individual that the American Revolutionary War was fought, and the British yoke of tyranny was abandoned.

It Is Not Necessary

If the objective is to confine the operations of business and the employment of labor to six days of the week instead of seven, these results can be obtained without designating upon which day of the week business shall close its doors and upon which day of the week all

the employees shall rest. All that will be necessary is to limit the hours of work for each employee for each day and for each week, or the number of days business shall operate during each week. This would then allow each business establishment to choose its own day for closing, and it would permit each employee in agree-

ment with his employer to choose his own day of rest each week according to his religious predilections. In this way, the same economic results would be obtained, without discriminating against the religion and conscience of those who desired to observe different days.



If the individual is to be deprived of his right to work as many hours as he wants to work, and business establishments are likewise to be shorn of their right to operate seven days each week, in order that business may recover from the present financial slump, let it be done in such a way that the least violence may be done to the natural and constitutional rights as guaranteed to each individual and to business concerns. While we are endeavoring to extricate ourselves from the slough of financial despond, let us make certain that we do not create another evil which will far outweigh any and all of the temporary benefits which may accrue to business or the unemployed.

A Most Dangerous Precedent

To establish a national Sunday observance code would certainly constitute a most dangerous legal national precedent. It would pave the way for a flood of religious legislation to follow in its wake. It would be equivalent to the first national Sunday law passed by the Roman Empire under the edict of Constantine the Great in 321 A. D.

That first Sunday observance law promulgated by Constantine the Great, became the legal precedent for all the religious legislation enacted subsequently by "the Holy Roman Empire," and laid the foundation stone upon

which was erected that complete union of church and state which cursed the world for so many centuries.

A chief justice of the supreme court of North Carolina, in reviewing the history of Sunday legislation, spoke as follows:



CONSTANTINE'S FAMOUS SUNDAY EDICT

Issued March 7, 321

Constantine, Emperor Augustus, to Helpidius: On the venerable day of the sun let the magistrates and people residing in cities rest, and let all workshops be closed. In the country, however, persons engaged in agriculture may freely and lawfully continue their pursuits; because it often happens that another day is not so suitable for grain sowing or for vine planting; lest by neglecting the proper moment for such operations, the bounty of heaven should be lost.

Translation from Schaff's "History of the Christian Church," Vol. III, sec. 75, par. 5, note 1.

If a national Sunday observance code becomes effective, that is exactly what will happen. The United States will become a veritable image of "the Holy Roman Empire," and all the religious persecutions which were perpetrated by that ecclesiastical empire will be repeated upon American soil. History repeats itself; like causes always produce the same effect.

(Concluded on page 118)

"All Sunday legislation is the product of pagan Rome; the Saxon laws were the product of Middle Age legislation of 'the Holy Roman Empire.' The English laws are the expansion of the Saxon, and the American are the transcript of the English.

"The first Sunday law, the edict of the Emperor Constantine, was the product of that pagan conception, developed by the Romans, which made religion a part of the state."—*N. C. Reports* 134, p. 508.

Will President Roosevelt follow the example of Constantine the Great in the establishment of national Sunday observance? Will this Republic follow the course of "the Holy Roman Empire" by making a national Sunday code the basis for subsequent religious legislation?

Does the United States Have a National Religion?

IN the issue of *Current History* of March, 1929, a writer by the name of J. W. Lockhart, of St. John, Washington, assumes the position that the Federal and State governments can prohibit the "practice" of "any theory" which "they may deem derogatory to or destructive of the fundamental tenets and moral precepts of that Christian religion which underlies and firmly supports all that is best, and therefore permanent, in our government and civilization."

The same writer states in his article that the American Government allows to every religion "a limited liberty;" and that "when a man's religion clashes in any serious way with our views of religion, which we have expressed in law, we curtail his liberty quickly."

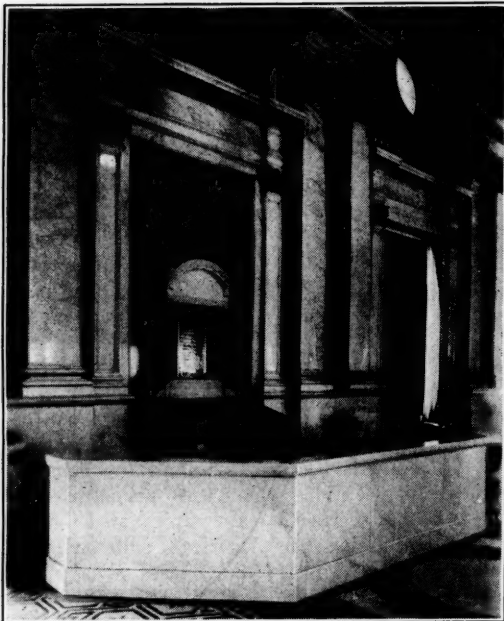
This statement raises the question, Does the United States Government

The Federal Constitution, Treaties, Which Have the Force of Law, and Judicial Decisions, Examined for the Answer

have a legal national religion? What does the writer in *Current History* mean when he says, "Our views of religion, which we have expressed in law"? Does the government and Constitution of the United States set up a certain standard of religion, and require that all laws and all public officers meet a certain religious test, standardized by the United States Government?

Mr. Lockhart further contends that "from the constitutional and legal point of view this is a Christian country, and that its institutions are based on the fundamental tenets of that religion; and what is not so based is neither constitutional nor legal, but may exist, often does exist, under the broad principles of toleration adopted at the inception of this benign government."

In support of this contention that this is a Christian nation, and that all the laws of the United States Government "are based on the fundamental ten-



© H. B. E.

PAGE 102

In this impressive setting in the Library of Congress are enshrined the two most precious documents of American history.—the Declaration of Independence and the Constitution of the United States of America.

LIBERTY, 1933



The Proclamation by President John Adams of the Treaty of Peace and Friendship Between the United States of America and the Bey and Subjects of Tripoli of Barbary. From the Original Document in the Department of State, Washington, D. C.

ents" of the Christian religion, Mr. Lockhart cites Chancellor Kent, author of a "Commentary Upon American Law," involving a case of blaspheming the name of Christ, as saying "that the case assumes that we are a Christian nation, and that the morality of the country is deeply ingrafted upon Christianity." Chancellor Kent was chief justice of the Supreme Court of New York State, but this statement set forth in his "Commentary Upon American Law" on the subject of blaspheming the name of Christ, does not have the legal status of a Federal law or a Federal judicial decision. It merely expresses his personal opinion upon this subject. The highest law of the land, the Constitution of the United States, expressly states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." If the Constitution of the United States will not allow the highest lawmaking power in the government to establish the Christian religion by law, it is folly to assume that the Supreme Court of the United States, much less a jurist of a State supreme court, can establish by judicial decision as a legal proposition what the Federal Constitution denies as a legal proposition to the lawmaking power of Congress.

FOURTH QUARTER

America Not a Christian Nation

Justice Brewer, of the Supreme Court of the United States, in the Holy Trinity Church case in 1892, made an *obiter dictum* statement that "this is a Christian nation," in contradistinction to its being a pagan or Mohammedan nation, but his *obiter dictum* statement did not have the value of law; it did not even have the value of a judicial decision, because the decision of the issue in the case itself relative to the violation of the immigration law, was entirely foreign to the *obiter dictum* statement that "this is a Christian nation." The "*dictum*" was simply the private opinion of the judge himself, expressed in an out-of-the-way remark, and was never intended to establish a new legal precedent in violation of the prohibition of the doctrine set forth in the First Amendment to the Constitution.

Our government went on record when it ratified the treaty made with Tripoli, May 26, 1797, by declaring, in Article XI of that treaty, that "the government of the United States of America is not, in any sense, founded on the Christian religion."

That treaty, according to Article VI of the Constitution of the United States,

(Continued on page 123)

PAGE 103

Lawful to Sell Beer on Sunday, but Not Soda Water

Mayor of Trenton Attacks Inconsistency of Sunday Laws of New Jersey

MAYOR GEORGE B. LA BARRE delivered a scathing attack against a recent legislative act of the New Jersey Legislature for the "absurd inconsistency" of authorizing Sunday beer while retaining on the statute books the old "Sunday blue laws" which deny the right to sell soft drinks on Sunday. The mayor pointed out that the old Sunday law of New Jersey, which had never been repealed, prohibits all "worldly employment," the "sale of goods, and the operation of passenger trains, trolleys, buses, and taxicabs," and vehicles of all descriptions on Sunday, unless they are employed to convey people to and from church services.

When the New Jersey Legislature passed the act to permit municipalities to authorize the sale of beer on Sunday, declared Mayor La Barre, while it still retained upon the statute books the old Sunday law which makes it unlawful to sell soda water on Sunday, the legislature exhibited "the acme of legislative asininity." The mayor's statement in full follows:

"One of the most absurd and inconsistent acts of the present legislature is the provision in the last supplement (Chapter 362, Laws of 1933) to the so-called Beverage License Act (Chapter 85, Laws of 1933), making lawful, by resolution of the governing body of municipalities, the sale, on Sunday, of the beverages

specified in that act, while at the same time permitting to remain on our statute books the provisions of the Vice and Immorality Act prohibiting all worldly employment (works of necessity and charity excepted), the sale of all goods, wares, and merchandise; the operation of passenger trains (other than one train each way, and mail trains); the transportation of all freight (excepting milk) on any public highway, railroad, or canal, and the operation of trolleys, autobuses, and public hacks, on Sunday.

"The absurd inconsistency is that the sale of fermented malt, or vinous liquors, including ale, beer, lager, porter, and wine having an alcoholic content not greater than 3.2 per cent by weight, may thus be made lawful on Sunday, while it is still unlawful to sell soda water, grape juice, ginger ale, candy, cigars, gasoline, and similar articles on Sunday.

"Charges 'Asininity'"

"This would seem to be the acme of legislative asininity, but it is equaled by the provisions of Chapter 115, Laws of 1933. This act amends Chapter 24, Laws of 1893, the title of which is, 'An act to amend an act entitled, "An act for suppressing vice and immorality" (revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.' This

(Continued on page 122)



Ideals of William Penn

"Can clubs and staves and swords and prisons and banishments reach the soul, or convert the heart, or convince the understanding of man? When did violence ever make a true convert or bodily punishments a sincere Christian? This maketh void the end of Christ's coming, which is to save men's lives, and not to destroy them; to persuade them, and not to force them."

AT a session of the Conference of the Lutheran Missouri Synod of the Pittsburgh District, held in the Concordia Lutheran Church of Pittsburgh, April 26, 27, 1933, the pastoral conference passed unanimously the following resolution favoring the repeal of the Sunday blue laws of the State of Pennsylvania:

"WHEREAS, We, the Pittsburgh District Pastoral Conference of the Lutheran Missouri Synod, singly and collectively, gratefully recognize the great American principle of the separation of church and state and the benefits that have devolved upon us through it; and,

"WHEREAS, We deplore the activity of those who, through sincere yet misguided efforts, would curtail this principle of American liberty through enactment and rigid enforcement of religious laws in accordance with their peculiar views; and,

"WHEREAS, Such views are being actively pressed upon our legislators;

"Be it resolved, 1. That we express our approval of the actions of His Excellency, Governor Gifford Pinchot, in signing the bill liberalizing Pennsylvania's Blue laws as a step in the direction of civil and religious liberty.

"2. That we reaffirm our position concerning the complete separation of church and state as set forth in the official Lutheran Augsburg Confession."

We commend the Lutheran denomination for its stand upon this Sunday blue law issue. It acknowledges that the liberalizing of Sunday laws is but "a step

Lutherans Favor Repeal of Sunday Laws of Pennsylvania

Pittsburgh District Pastoral Conference Passes Resolution

in the direction of civil and religious liberty," and that the only solution to this religious issue is a "complete separation of church and state as set forth in the official Lutheran Augsburg Confession."

The Augsburg Confession, which sets forth the Lutheran faith, expressly states that "ecclesiastical rites, . . . such as set holidays," including Sunday observance, are not to be imposed upon men to burden their consciences; that the obligation to observe Sunday is not a divine but a human ordinance. In referring to the observance of Sunday,

Easter, Pentecost, and other holidays and church rites, the Augsburg Confession claims that they are all without divine authority, and the passing of laws to make them binding upon men are "but snares for men's consciences."

The princes which had espoused the principles of the Reformation, declared emphatically: "In matters of conscience the majority has no power." The great Reformer, Martin Luther, himself said: "No one can command or ought to command the soul except God,

(Concluded on page 121)

Martin Luther on Soul Liberty

"No one can command or ought to command the soul except God, who alone can show it the way to heaven. It is futile and impossible to command, or by force to compel any man's belief. Heresy is a spiritual thing, which no iron can hew down, no fire burn, no water drown. . . . Whenever the temporal power presumes to legislate for the soul, it encroaches."





Is There HOPE for the



"CHRISTIAN STATESMAN"?

BEING born the son of a Presbyterian minister, and having attained the ripe age of fourscore, the writer has been acquainted with the *Christian Statesman* during its entire life of over sixty-seven years, and so knows whereof he speaks when he says that during all the years of the life of the *Christian Statesman*, its constant effort has been to secure "such an amendment to the Constitution of the United States as will declare the nation's allegiance to Jesus Christ, and its acceptance of the moral laws of the Christian religion."

And further, during all these years the *Christian Statesman* has labored untiringly to place all the existing "Christian laws, institutions, and usages of our government on an undeniably legal basis in the fundamental law of the land."

Of course if this were done, if the Constitution were so amended, either the civil courts would be compelled to decide numerous religious questions, or an ecclesiastical court would have to be empowered to adjudicate all such matters. And the effect would be, not perhaps the union of a single denomination with the state, but of religion with the civil government.

But it seems that a ray of light has at last penetrated the hitherto darkened National Reform mind, and now the *Christian Statesman* calls for each—that is, for church and state—to keep

By
C. P. Bollman

"on their own side of the line." Witness this which appeared on the front cover page of the *Statesman* for June of the present year:

"Getting Over the Line"

"Two attempts have been made by two different governments in recent months to invade territory in which they have no jurisdiction. Present indications are that both will prove to be idle gesture.

"The first and most pretentious is the effort of the German Nazis government to usurp complete control over the Protestant churches of the German Reich. Under the leadership of Dr. Kapler they have made such a determined resistance that the government has for the moment desisted. The Erastian theory of the relation between church and state has strengthened the hand of the government in this controversy. The German state church has always submitted to a certain amount of state control. In that theory the church is a department of the state. But the Inner Mission, the Reformed, the Baptist, the Moravian Brethren, the Methodists, the Mennonites, and other branches of the Protestant church have never submitted to this sort of thing. They have maintained an independence equal to that of the churches in Great Britain and the United States. It is to be hoped that such independence will be maintained. In that independence of the churches alone lies the hope of developing world peace.

"It was the subversion of the state church under Bismarck, Nietzsche, and Von Treitschke that in some degree accounts for the rise to power of the military clique under William II, and so was a contributing factor to the bringing on of the World War. Only an independent body of Christ will ever successfully resist the beast of Revelation or contribute anything toward bringing in the rule of the Prince

of Peace. Even such a church has a difficult task before it.

"The second incident was from the opposite direction. The priestly prince of Vatican City, who arrogates to himself the title, 'Vicar of Christ,' has recently excommunicated all of the responsible officials of the Spanish Republic. Several hundred were included in this church censure. The occasion was the adoption by the Cortez of the Religious Congregations Act. This act is an endeavor on the part of the Spanish people to achieve the ideal of the complete severance of church and state, and it wrests the control of public education altogether from church hands.

"The papal encyclical of three years ago revealed the unalterable opposition of the papal government to these ideals, but he did not go so far as to excommunicate any American Romanist that may have been in a school office, though he unmistakably condemned the American policy. It was not policy to do so, but he has done it in Spain.

"It is to be as fervently hoped that Spain will be as staunch (as BIGOTED, if you please, for that is the good old Spanish word for our stalwart) in her opposition to papal aggression into the territories of civil government as German Protestants have been in their resistance to a civic invasion of their ecclesiastical rights.

"Conditions will never be as they ought to be, that is, truly Christian, until both of these servants of Jesus Christ learn to recognize each other as equals, respect each other's rights, keep on their own side of the line of authority, and in a friendly fashion seek to help each other without domination."

Just how much is meant by the closing words of the last paragraph of the foregoing quotation can be known for certain only by the man who wrote it. There may be much evil bound up in the words, "learn to recognize each other as equals." How can the two be equals when their realms are entirely different? The sphere of the state is wholly

secular and political; that of the church, wholly religious and spiritual. How can they be equal? But if respecting "each other's rights" means each attending strictly to its own business, and if keeping "on their own side of the line of authority" means just that, and if seeking "to help each other without domination" means just that and no more, it certainly marks a great change in the attitude of the National Reform Association and of its mouthpiece, the *Christian Statesman*.

Some forty odd years ago the *Christian Nation*, a National Reform organ, then hand in glove with the *Christian Statesman*, said:

"Let those who will, remember the Sabbath to keep it holy from motives of love and obedience; the remnant must be made to do so through fear of the law. We have no option."

About the same time the late Rev. M. A. Gault, then a vice-president of the National Reform Association, as reported in the *Christian Statesman* of September 28, 1887, said:

"Our remedy for all the malefic influences is to have the government simply set up the moral law, and recognize God's authority behind it, and lay its hands on any religion

that does not conform to it."

Only a few centuries ago men were burned at the stake for refusing to conform to what the state set up as the moral law. Dare we believe that the *Christian Statesman* now sees the error of the ways it has followed for almost seventy years, and that now by church and state each keeping upon its own side of the line, it means the repu-

(Concluded on page 121)

SOUND AMERICAN PRINCIPLES

Every man who conducts himself as a good citizen, is accountable alone to God for his religious faith, and should be protected in worshiping God according to the dictates of his own conscience.—George Washington, in his reply to the Baptists of Virginia.

Religion is not in the purview of human government. A connection between them is injurious to both.—James Madison.

Almighty God hath created the mind free; all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercion on either, as was in His almighty power to do.—Thomas Jefferson.

Teaching Christianity in the Public Schools



H. A. ROBERTS

THE readers of *LIBERTY* have no doubt been impressed by the cogent reasoning of Dr. Spear in the articles dealing with the question of Bible reading in the public schools presented in our last two numbers. The arguments are unanswerable, and must carry additional weight because they are written, not by an unbeliever, but by a devout churchman.

In the further quotation which we offer in this issue, we commend particularly to the reader's attention the splendid answer given to those who urge that the majority has the inherent right to settle religious questions for minorities. No more specious argument is ever advanced by the proponents of the union of religion and the government, under whatever guise it is presented, than that in a republic the law of the majority must be supreme in all matters. The

Excerpts From
a Work by
Samuel T. Spear

editors of *LIBERTY* concede that in purely civil affairs this rule may be accepted; but where the conscience is involved, no man has a right to set himself up as an arbiter concerning another's belief.

Dr. Spear says:

"The teaching of Christianity in the public schools, for example, in the Protestant form, must be paid for by taxation, and all the people who have any taxable property must share in the burden. Now, are they all Christians and all Protestants? By no means. There is a great diversity among them as to their religious opinions; and yet they are all citizens, and as to their citizenship and their respective religious faiths, they are, by the guaranteed rights of our political system, and by the rule of right reason, just equal before the laws. No one class tolerates all the rest, since they are equals. Is it, then, just for the State in its public school to extend the hand of favoritism to Protestantism and Protestants, and tax Catholics, Jews, infidels, Rationalists, Swedenborgians, etc., to pay the expenses thereof? Others may answer this question as they

(Continued on page 119)

Regulating Human Conduct

by Statute

By A. R. Bell

A FORMER chief justice of the Court of Appeals of the State of New York, said, in an address before the New York State Bar Association: "Today, according to the notion of many, if not most people, liberty is the right of part of the people to compel the other part to do what the first part thinks the latter ought to do for its own benefit."

It would seem, according to the judge, that "the strong tendency in the courts, in legislatures, and worst of all, in the people themselves," is "to disregard the most fundamental principles of personal rights."

We have forgotten, most of us, that under the government under which we live, the individual is sovereign and not the State. This was beautifully illustrated or emphasized by a speaker before a committee of the United States Senate. He was asked by the chairman whom he represented, and replied, "My name is —, and I am from —, and I represent myself."

We are being pestered to-day all over the land with or-

How strange the salvation offered by some men, with its "compelling" power, as contrasted with the invitation of the Author of salvation, who said, "Whosoever will, let him take the water of life freely." Only obedience prompted by love is acceptable to God.

dinances and bills to be enacted into law from barbers and others. Some want to close their places of business on Sunday, which is their perfect right to do; but some do not wish to close; so those who do, write up an ordinance for the cities and communities to pass, compelling the other fellow, who wants to keep open, which is his perfect right to do, to close. And they write them up in such a guileful way. Here is one. It was entitled, "An Ordinance Regulating the Butcher Business." The writer had the privilege of successfully opposing it. I said in my protest:

"I am opposed to this ordinance because it would favor the man who, because he wants to close his business on a certain day of the week, must needs have a law placed upon the statute books, compelling every other man in his line of business to close his place of business on that same certain day of the week. That business man I hold in contempt."

But back of all the camouflage in these Sunday ordinances there is hidden this everlasting determination to compel the people of this fair land, by police power, to observe Sunday. Somehow it seems to be written into the lives of some that if we can only get the people to observe

(Concluded on page 119)





Men's Community Bible Class, First Baptist Church, Ontario, California

Baptist Men's Bible Class Appreciates "Liberty"

A MEMBER of the Men's Community Bible Class of the First Baptist Church, Ontario, California, sent a letter and a photograph of the Bible class to the editor of the *LIBERTY* magazine, under date of May 22, expressing his appreciation in behalf of the great principles of religious freedom as set forth in *LIBERTY*. We are glad to know that this Bible class of Baptists is so fully in harmony with the great fundamental principles of separation of church and state and the free exercise of the conscience in religious matters. So many Bible classes have gone on record in favor of compulsory Sunday observance legislation, and compulsory reading of the Bible in the public schools, that it is refreshing to find one that is straight on the subject of religious liberty. We take the following excerpts from this interesting letter:

"I have been reading your *LIBERTY* magazine with great interest, and it has been my intention for a long time to write to you and tell you my appreciation of the interest you are taking in publishing such valuable instruction for our time.

"I am herewith sending you our Men's Community Bible Class picture of the First Baptist Church of Ontario, California, showing the

rapid growth we have made the last year from 50 to 105, or over 100 per cent gain.

"It will be of interest to you, I trust, to know that we believe in religious liberty. I dare say that all of us are 100 per cent liberty-loving American citizens who believe in the principles laid down by our forefathers, to whom we give the credit of expressing themselves with these words, 'Give me liberty, or give me death.'

"Just a little explanation of how we conduct our meeting on Sunday morning. After singing 'America,' at the opening service, we take our pledge as follows:

"I pledge my allegiance to God, to my country, our flag, and the principles for which it stands—Love—Liberty—Humanity.' Then the president of the class, our minister, asks God that we may live up to those principles, to love our fellow men in the same spirit that God loved us.

"Our teacher, the Baptist minister, is a man that knows how to explain what it means to be a Christian. For instance, he emphasizes thoroughly this fact to us, that the greatest Christian principles are (1) loyalty to God, and to the great fundamental principles of our great American Republic laid down in our Constitution; and (2) that Christianity is and ought to be a demonstration of God's will and command to man; namely, the law of God. He also makes it plain to us that we demonstrate either the principles of God or the principles of Satan, that there can be no middle ground, and that it is for every man to choose which side he wants to be on.

"Our minister, in speaking of the shipwreck of Paul (Acts 27), said, in brief, that we are living today in a wrecked world, and that from every popular magazine the sound of prominent leading men is that we are doomed politically, socially, and religiously; religiously because we have forsaken the gospel of persuasion and choice, as proclaimed by Christ and His apostles, and by the leading Reformers, as Luther, Calvin, Knox, and Wesley; and that instead we have taken the gospel of force—law—to force men into religion.

"He emphasized the fact that there is no greater power to save men than that of choice and will, and if man has the will power to be saved, no man or devil can keep him from reaching his goal—the crown of life—a prize which is worth all our efforts to obtain. He emphasized the fact that the Bible only is the authority and rule to go by, and only as we cling to that 'Rock' of which Christ spoke to Peter, referring to Himself as the foundation upon which His church was to be built, shall we be saved from the chaos in which this world is at the present time.

"Mr. Longacre, this is only one of such community Bible classes in California, for we have

them all over California. Thank God, we have liberty-loving citizens here in California. Repeatedly, some fanatics have tried to bring California into some bondage of religious intolerance, but the great majority realize that this precious liberty is too valuable to be snatched away from us, and as you see our flag in the picture, we are proud for the protection granted us under that emblem of the land of the free.

"In conclusion, I will say that should you ever come to California, please do not fail to stop over here in Ontario and visit our Ontario Men's Community Bible Class, and I will introduce you to the class, and Dr. Griffin, our teacher, will be glad to have you speak to us on religious liberty."

California was the first State in the union to repeal all its Sunday observance laws, and it has resisted for more than fifty years every attempt on the part of Sunday law advocates to have these religious laws re-enacted. The people of California are a liberty-loving people,

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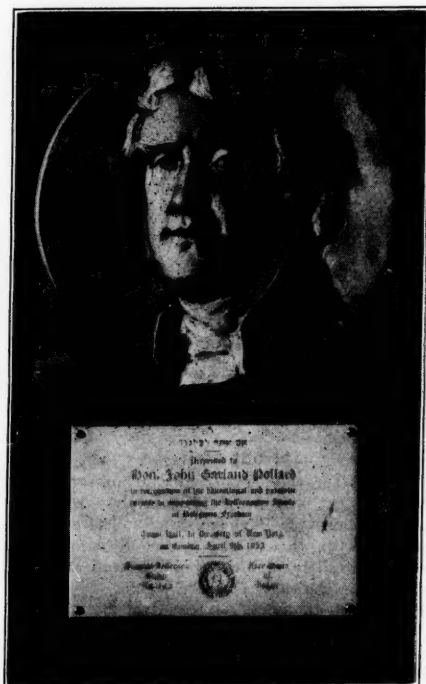
GOVERNOR POLLARD OF VIRGINIA HONORED BY THOMAS JEFFERSON LODGE

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On Sunday, April 9, 1933, in the Town Hall in the City of New York, the Thomas Jefferson Lodge of the Free Sons of Israel presented Hon. John Garland Pollard, Governor of Virginia, with a bronze medal, shown in the accompanying picture.

The presentation was made in recognition of the governor's educational and patriotic service in supporting Jeffersonian ideals of religious freedom.

Hon. George Gordon Battle presided, and the chief address was delivered by Hon. Claude G. Bowers, recently appointed by President Roosevelt as Ambassador to Spain.





Harassed Worshipers in Old England

America was founded largely by men and women who sought religious freedom. The heavy hand of tyrannical oppression and persecution rested upon these people in the Old World. Of the Pilgrims, King James I had declared: "I will make them conform, or I will harry them out of my kingdom."

RESOLVED, That Pennsylvania retain her Sunday Laws," was the question which was debated before a crowd of 1,600 people in the First Methodist Episcopal Church in Franklin, Pennsylvania, on June 20, 1933, between Rev. H. Bielenberg, pastor of the Christ Lutheran Church of Oil City, Pennsylvania, and Rev. Paul R. Servey, pastor of Grace Evangelical Church, Rocky Grove, Pennsylvania. The Rev. Mr. Bielenberg favored the complete repeal of the Sunday blue laws of Pennsylvania. A law was enacted by the State legislature at the recent session, permitting municipalities to vote on the question of the repeal of the Sunday law so far as Sunday baseball and football are concerned. The following excerpts are taken from the debate as presented in the arguments by the Rev. Mr. Bielenberg:

Introduction

"I am glad for this opportunity of presenting my views in . . . favor of the complete repeal of the blue laws of Pennsylvania." There are some who "see in this a step in the direction of godlessness, moral breakdown, and ruin and crime. The opposite is the case, I assure you.

"I remind you that many sincere, yet misguided people, severely criticized the founders of our American Republic when they separated church and State in our fundamental law. In fact, they prophesied that Christianity and the knowledge of the Bible would perish in America because state

"Resolved, That Retain Her Su

**The Negative Side
Debate Between
an Episcopodist Clergyman
and a Lutheran Minister**

support was withdrawn from religion. But the fears of these people were not well founded, because the Christian religion and churches broke all previous records of advancement and prosperity after church and state were separated in the United States.

"I see in the blue laws a grave danger . . . threatening religious liberty. Deeply convinced that a real danger lurks behind the blue laws, I have risked the displeasure of those who do not agree with me, and publicly before the city council of Oil City and in the press have I warned against these and similar laws. The city council did not seem to be convinced by the words I spoke, for they enacted a most drastic piece of legislation, making it a crime subject to a \$300 fine or 90-day imprisonment to give a concert, operate a movie or amusement park for pay on Sunday. I hope that I may have more success this evening in convincing you of the correctness of my position.



Leaving Holland for the New World

They fled to Holland to find among a people of strange language the liberty denied them in their native land. Then, to preserve to their children the English language, they sought a home on the bleak shores of Massachusetts Bay. Here they found refuge, and here they built their homes.

What Pennsylvania r Sunday Laws"

gative Side of a
Between a Meth-
ergyman and a
eran Minister



"Some time ago I read an address delivered by an eminent champion of the separation of church and state, Governor Pollard of Virginia. In 1901, as delegate to the Constitutional Convention of Virginia, Mr. Pollard raised the question as to the elimination of the sectarian term 'Christian' in the Virginia Bill of

Rights. For this he was severely criticized. The chairman, in a speech before the committee, said: 'The Christian people all over the State cannot be convinced that this is not an attack upon Christianity.' But Mr. Pollard replied, and I would use the same words as I speak to you tonight: 'Some have done me the injustice to say that this was intended as a blow at Christianity. I would rather have a millstone tied about my neck and be cast into the midst of the sea than to

strike a blow at the religion on which I rest all my hopes for the future. In offering this, I believe I am following the teaching of Him who said: 'My kingdom is not of this world.' If there is



The Earliest Settlement in New England

Founding a colony, which its members declared a theocracy, these Pilgrims and Puritans were free to carry out those principles of freedom which actuated them in coming to the New World. They failed to live up to these principles, however, in their treatment of fellow members.

FOURTH QUARTER



Roger Williams in His Exile

They had not learned the lesson of freedom in religious matters. These early settlers began to persecute those who did not agree with them, as Roger Williams and others found out to their sorrow. It was seeing such abuses as these that moved the early patriots to work for religious liberty.

one lesson taught in the annals of history, it is that Christianity prospers best under those governments which, as such, seek to help it least. A false religion may need the peculiar recognition of the law, but it is beneath the dignity of the only true religion to accept it.

"Christianity won its way unassisted in spite of crushing opposition, bloodthirsty oppression, and cruel, fiendish persecution. It won its way by the power of its divine Founder, its sublime theology, its incomparable teachings. And now after nineteen centuries of glorious progress, we propose to re-enforce this almighty power, this irresistible force of Christianity, by the enactment and enforcement of blue laws. That Christ who conquered stony hearts, who vanquished hostile nations, who crushed fiendish opposition with the power of love and self-sacrifice, that Christ who filled churches and humble meeting halls 'in spite of dungeon, fire, and sword,'—that Christ we want to help with laws like this, we want to arrest people, prosecute them according to these Pennsylvania blue laws of 1794:

"(Sec. 3, Column 4406. If any person shall do or perform any worldly employment or business whatsoever on the Lord's day, commonly called Sunday (works of necessity and charity alone excepted), shall use or practice any unlawful game, hunting, shooting, sport, or diversion whatsoever on the same day, and be convicted thereof, every person so offending shall, for every such offense, forfeit and pay \$4, to be levied by distress; or in case he or she shall refuse or neglect to pay the sum, . . . he or she shall suffer six days' imprisonment in the house of correction of the county.'

Unworthy of Christ

"We want to supplement, to assist that 'weak' religion, that world-conquering force, with a law

PAGE 113

like that. How unworthy of Christ and His church! Tell me frankly, are such things an aid to Christianity? Am I wrong when I say: 'Take away these blue law crutches on which Christianity is supposed to hobble on to new victories'? or will you still insist that we send the constable around to see that all people go to church services, that all drop their work, irrespective of their belief or nonbelief, while you and I go to church?

"Permit me to list systematically the reasons why I hold that the Pennsylvania blue laws ought to be repealed. I hold that they are, 1. Un-American. 2. Unscriptural. 3. Unjust and undesirable. 4. Unchristian.

They Sought Religious Freedom

"1. America was founded largely by men and women who sought religious freedom. The heavy hand of tyrannical oppression rested upon these people in the Old World. Of the Pilgrims, King James I had declared: 'I will make them conform, or I will carry them out of my kingdom.' They fled to Holland to find among a people of strange language the liberty denied them in their native land. Then to preserve to their children the English language, they sought a home on the bleak shores of Massachusetts Bay. The French Huguenots likewise fled their native land to find in the Western wilderness that freedom of worship denied them in France. So with William Penn and his following of Friends, who sought religious liberty on the banks of the Delaware. But it seems they had not learned their lesson, for we find these early settlers persecuting those who did not agree with them, as Roger Williams found out to his sorrow.

"It was seeing and knowing such abuses as these that moved such patriots as George Mason, Thomas Jefferson, and James Madison to work for religious liberty and to guarantee the separation of church and state. It was Mr. Madison who wrote the First Amendment to our Constitution, prohibiting Congress from making any law for the establishing of religion or prohibiting the free exercise thereof, as also the words of Article VI: 'No religious test shall ever be required as a qualification to any office or public trust under the United States.'

"Their intention is clearly brought out by the declaration of the treaty of 1797 with Tripoli, 'The government of the United States of America, is not, in any sense, founded on the Christian religion.' Such statements do not imply a hostility to the Christian religion, but are only declarations of the basic fact that the United States Government is a civil and not a religious institution.

Quotes Prominent Virginia Lawyer

"In violation of such clear declarations of the ideals of American government, the blue laws attempt to enforce observance of the 'Lord's day' upon every one, even people who do

not serve the Lord. Such church laws—attempts to regulate religious habits by legislation—are un-American, positively wrong. Many people have recognized this, even church leaders, and have warned against it. Among others I quote the statement of a prominent Virginia lawyer, Charles Davis, who remarked recently:

"The continued concentration of power in the Federal Government, the endless efforts of professional reformers to regulate personal conduct by laws, seem to mark a complete abandonment of the purposes of government as set forth in the Declaration of Independence and to nullify the Constitution. And churches with a misguided zeal seem to be the head and front of this unfortunate movement. After 1900 years they still seem to have missed the basic fact that the Christian religion is to be spread by persuasion, not force. The professional reformer who thinks his ideas only are right, and that they should be imposed on every one else, . . . certainly does not have any appreciation of the importance of human liberty.'

"How clearly that attorney has seen this sinister trend of Sunday laws, which would nullify the Constitution! Don't tell me that it makes little difference; that the end justifies the means; that a blinking at principle will foster civic righteousness. That is a plain lie—a perversion of fact.

Majority Without Church Connection

"Latest statistics show that 68,000,000 in America are without church connection. These people have certain rights that should be respected, and church people should be the last to infringe upon their constitutional rights. We have the right and the duty to attempt their conversion by persuasion, but *never to attempt this by law*. I believe firmly in worshipping God, but let a man worship *because he loves God*. I believe a man should rest one day a week, but let a man secure that rest without interfering with the rights of others.

"The United States Senate, in a report on Sunday mails, January 19, 1829, asserted: 'That the proper object of government is to protect all persons in the enjoyment of their religious as well as their civil rights, and not to determine for any whether they shall esteem one day above another, or esteem all days alike holy.' Are we going to run roughshod over such official declarations? Is our Constitution to become a mere souvenir? Are we forgetting our American birthright? Are we going to tell our fellow citizens what tyrannical King James told the pilgrims: 'I will make them conform, or I will harry them out of my kingdom'?

"The Blue Laws Are Unscriptural

"In 1928 an assassin killed president-elect Obregon of Mexico. He was asked the reason of his crime. His answer was, 'I killed him by order of Christ, the King.' Was that really

true? Did Christ order him to kill? You and I know that it was not so; that Christ never commanded us to kill any one. Are you in the same position, carrying out a command which has no Biblical foundation?

No Bible Authority for Sunday

"There is no command in the Bible to keep Sunday as a day of rest. 'But,' you object, 'there is the command, "Remember the Sabbath day, to keep it holy."' Yes, but the Sabbath day on which the Jews were compelled to rest by express command, or be stoned to death, was *not* Sunday, but Saturday. If you think that this command is binding on you, why don't you keep it? Why keep Sunday? God mentioned the day expressly: 'But the seventh day is the Sabbath of the Lord thy God; in it thou shalt not do any work.' The seventh day is not the first day. . . .

"The blue laws therefore are unscriptural and wrong, because they ask something of the citizens of the state which is not even commanded the Christians in the Bible. If you tell me, 'The provisions for the Sabbath, Saturday, are brought over to Sunday,' then I will challenge you to show me one proof passage, one word of the Bible upon which you base your assertion.

The Blue Laws Are Unjust and Undesirable

"Governor John Pollard, whom I quoted before, shows his keen understanding of the human heart when he asserts: 'How easy it is for us to see a discrimination against our own religion, and how hard to perceive an injustice done the religion of others. How easy it is even for Christians to minimize the importance of the rights of others.'

"Consider seriously the injustice of the blue laws to those who are conscience bound to observe Saturday as their day of worship. They keep their Saturday, and we go about our regular business or pleasure, our ball games, movies, or shopping. Then comes our day of worship, Sunday, and we worship, but do they go about their ball games, movies, or shopping? No! We demand that movies, concerts, etc., be closed. Aren't these people being *unjustly* taxed of one sixth of their earning time in the interest of a religious belief? Isn't that manifestly unfair? Consider the case if the opposite were true, and Christian merchants were forced to close all their stores, ball parks, movies, etc., on Saturday. What a howl of woe would ascend from these business men that they were forced to lose the best business day in seven. Yet why not apply the golden rule?

Time Is Money

"The blue laws are unjust because they result in confiscation without compensation! Time is money. To arbitrarily force a citizen to refrain from work or pleasure on Sunday with

no adequate compensation, is to lower him to the level of a criminal in a penitentiary once a week.

"The blue laws are unjust because they interfere with legitimate business. Sunday laws do not prohibit criminal or immoral acts, but acts which are lawful and moral on other days. Extensive investments have been made in baseball parks, amusement parks, motion picture theaters, and other interests which draw their patronage during the leisure hours of the people. Laws which prohibit their business are an unwarranted interference with their rights. What if they should attempt to close the churches on Wednesday nights, saying that we take too many people away from their places, and yet, why haven't they the right to do it?

"The blue laws are unjust because they are harmful to the mental and physical well-being of the people by prohibiting needed recreation and amusement on practically the only day when people are free to engage in these things. What more clean and wholesome recreation is there than fishing? Why should a man be prevented from enjoying this healthful diversion on Sunday? A man may work six days a week, goes to church Sunday morning, and would enjoy an afternoon on a trout stream. Then the state jumps in and tells this godly, religious, law-abiding citizen, 'No fishing on Sunday!' Is that justice? Is that liberty? I hold that it would be highly beneficial to our young people to have the Y. M. C. A. open on Sunday for healthful exercise. It would be far better than enforced idleness. Idleness breeds vice. The Philadelphia *Record* reminds us that 'Pennsylvania workmen alone are denied big league baseball. Try to find a cleaner recreation than that on Sunday.' Remember Calvin Coolidge as governor of Massachusetts (no emissary of evil) signed a Sunday sports bill.

Unjust Discrimination

"The blue laws are unjust because they result in practical discrimination against the poor. The man who is fortunate enough takes his family out for a ride in the family car, possibly on a picnic. The less fortunate man must sit at home on his porch. If he wants to go to the movie, he finds it locked. Sportsmen have charged that the rich may hunt and fish on their private estates to their hearts' content on Sunday, while streams are closed to them on Sunday. Ball parks are closed, but the rich can go to their country clubs for which annual dues are paid and play golf, and feel free to hire a caddy and make him work. The poor feel that the rich make their own Sunday laws, and deplore the injustice of it. Country clubs are open. Golf links are dotted with Sunday players, while the shop girl, the factory worker, the clerk, chained to the desk six days a week, are deprived of simple sports and simple amusements in the name of a conventional, theoretical godly sabbath. It will be

far better to frame our laws so that all classes of people shall be free to lead their own lives on Sunday as on other days.

"The blue laws are unjust and undesirable because they breed a hearty disrespect for law. We complain about lawlessness and crime, and still insist on laws' being kept on the statute books which we continually break with a good conscience, laws which are not worthy of respect. It is a matter of common knowledge that the blue laws are not kept, even by their most ardent advocates. If the Sunday blue laws were kept to the letter, there would be a revolution in Pennsylvania inside of a month, for no one would be allowed to ride in an automobile except to and from church, or on an errand of mercy or necessity. Not a Sunday newspaper would be sold. No singing or music would be allowed except sacred music. No labor or business of a worldly nature would be allowed. At present, certain parts of the blue laws are being enforced spasmodically according to the whims of public officials, etc. It is impossible to enforce the blue laws of Pennsylvania without locking everybody up in prison on Sunday. Such things breed contempt for law and order and authority in the public mind.

Blue Laws Make Hypocrites

"Furthermore, the blue laws are unjust and undesirable because they make hypocrites. They require all men of the State to act religious on Sunday whether they are religious or not. That kind of religion,—going through the forms, without the heart,—let us see, they call that hypocrisy. That kind of religion is abhorrent to God and man.

Sunday Laws Persecute

"Again the blue laws are undesirable because they lead to persecution. Judge Cavanaugh, of Chicago, who spent thirty years on the bench, has spoken a timely warning against the growing demand that religion be placed on a legal basis. He says, 'Through all history, when religion, to maintain herself, has called on the law for aid, the result has been persecution, cruelty, and catastrophe.' And examples of persecution are not unknown under American Sunday laws in spite of our vaunted culture. In 1901 a minister was arrested in Washington, Pennsylvania, for carrying his portable pulpit from his church to a gospel tent a block away on Sunday. The charge was made that he should have carried his pulpit on some other day. He was convicted, fined, and because his conscience would not permit him to pay his fine, he was imprisoned.

"In Tennessee, 120 Seventh-day Adventists were imprisoned for no other crime than that they worked six days at honorable occupations and rested the seventh day. These otherwise splendid citizens were imprisoned for a total of 1,722 days and paid over \$2,500 in fines.

One of them fixed a door screen on Sunday, another cobbled shoes, while a third dug a mess of potatoes from his garden.

The Blue Laws Are Unchristian

"Sunday laws are entirely out of harmony with the spirit of Christianity. The religion of Christ is a religion of love, a religion which says, 'God is love,' and which assures us that 'God so loved the world, that He gave His only begotten Son;' and the Son assures us, 'Greater love hath no man than this, that a man lay down his life for his friends.' When the golden sunset of His earthly life was approaching, Christ gave His followers His last command, 'Go ye into all the world, and preach the gospel to every creature.' And of the early Christians we read, 'They ceased not to teach and preach Jesus Christ.' Of Saul of Tarsus and his band of persecutors, we read they entered 'into every house, and haling men and women committed them to prison.' What a contrast!

"Today we are witnessing a deplorable reversal of this situation. We are not making Sunday a day of rest, but a day of arrest. Preachers are turning prosecutors. Forgetting the divine command, 'Preach the gospel,' ministerial associations the length and breadth of our land are actually 'haling men and women and casting them into prison.'

"The Wisconsin *State Journal*, October 10, 1929, reported that the Ministerial Association of Richland Center, Wisconsin, carried on a crusade against Sunday movies. Rev. Bruce Matthews, pastor of the Christian Church, swore out a warrant for the arrest of Jake Eskin, owner of the Orpheum and Richland Theaters, and had him prosecuted before the justice of the peace. Convicted, Mr. Eskin was fined \$10 and costs. In a sermon preached October 20, 1929, Rev. Wm. Dawson, Episcopal Archdeacon of Milwaukee, took the Ministerial Association severely to task, saying that 'the world is not to be saved by court orders or sheriff's warrant, but by the kindness of Christian love and example. Christ never arrested any one, although He could have had warrants sworn out many a time. The church has lost its soul when it becomes political dictator.'

Alexander Campbell Quoted

"The attitude of this prosecuting minister of the Christian denomination is very strange in view of what Dr. Alexander Campbell, the founder of this very denomination, has to say on the subject of Sunday observance in his memoirs: 'There is not a precept in the New Testament to compel, by civil law, any man who is not a Christian to pay any regard to the Lord's day, more than to any other day. Therefore to compel a man who is not a Christian to pay any regard to the Lord's day, more than any other day, is without the authority of the Christian religion. . . . To command unbelievers . . . to observe in any sense the Lord's day,

is antievangelical, or contrary to the gospel.'

"Jesus Christ did not commission His church to enforce the laws of the land. The church's commission is to seek and to save the lost. You remember when the Jews brought a woman who had violated the law and the penalty for the offense was death. They furnished conclusive evidence of her guilt, and then, placing her in front of Jesus, they as much as asked, testing Him, 'Well, what are you going to do about it?' In His divine wisdom He answered, 'He that is without sin among you, let him first cast a stone at her.' And all these righteous Pharisees, with murder in their hearts, one by one retreated. Then when the woman was left alone, Jesus asked: 'Where are those thine accusers? hath no man condemned thee?' She said: 'No man, Lord.' What was it then that Jesus told her? He knew that she was guilty. Heed well the answer: 'Neither do I condemn thee: go, and sin no more.'

Civil Law Cannot Save From Sin

"Now, don't misunderstand me. When called for jury duty, I am bound to give a verdict according to the law and the evidence. The state is bound to condemn and punish crime; but the Christian church is an organization to seek and save the lost. Laws are enacted to protect life, liberty, and property, but not to save people from their sins. The church must work with spiritual weapons to conquer hearts by persuasion. God did not send His Son into the world to condemn the world, but that the world through Him might be saved. Christianity is a religion that keeps the prosecuting devil out of our hearts and fills us with love toward our neighbor. Sunday laws are out of harmony with Christianity. They are a mighty poor substitute for gospel preaching.

"Some impatient souls complain about their lack of success in persuading people, and so they try force in the hope to be more successful. They remind me of a father of whom I have heard, who was perplexed because his son did not take to his religion. 'I cannot understand,' said the father, 'why my son does not take to religion. I always had family worship and tried to make my son religious. When he would not get down on his knees when we prayed, I knocked him down.' The blue Sunday advocate often wonders why the public does not take to his views about religion. The reason is not far to seek. No one likes a religion that is crammed down his throat and administered with a big stick.

"As I conclude my case tonight, I ask you to return with me in thought to the dark garden of Gethsemane on the outskirts of Jerusalem. It is the depth of the darkest night in human history, and except for the presence of the Saviour and His sleepy disciples, the garden is deserted. But presently that silence is broken by the sound of many footsteps. Nearer and

nearer that weird procession wends its way. The dark sky begins to redden with the flames of flickering torches. The band of man hunters led by that traitor disciple, Judas, stampede into the solitude, surround the gentle, unresisting Saviour, and lay sinful hands upon His holy body. At that crucial moment, with the feeling of human loyalty which we can well understand, Peter, impetuous Peter, turns to his Lord and asks the question which is sounded down through the centuries and has helped to deform history: 'Lord, shall we smite with the sword?' Impulsive Peter answers the question for himself, and takes his sword, runs upon the advancing persecutors, and clips the ear of one of the high priest's servants,—Peter, without a single word starting a Holy War for Him who could summon ten legions of angels from heaven, yes, whose simple majesty had caused that band of ruffians to tumble helplessly to earth.

"Today, also, there are many impetuous Peters who would smite with the sword. Do not believe for a moment that sword-smiting religions are a matter of ancient record, impossible in our enlightened twentieth century. The blue laws are a sample of how men would defend their Lord today, with Caesar's sword.

A Divine Protest Against Force

"But this is the very opposite of that divine and boundless love that filled our Saviour's heart to overflowing. His answer to Peter's question: 'Lord, shall we smite with the sword?' was clear and emphatic: 'Put up thy sword into the sheath,' and then to tell us that battles in His kingdom are not to be fought on the bloody fields of religious warfare, are not to be propagated with earthly swords, He reached over and, surrounded as He was with man killers who thirsted for His blood, healed the wound of Malchus, as a divine protest against this kind of maiming, militant, murderous Christianity. Those hands, pierced through with spikes from the cross, never grasped a sword, never forced an unwilling person, never handcuffed or arrested any one.

"Wherever men have failed with the sword, Jesus has succeeded with His love. Empires that have been built up by force and brutality now lie in hopeless ruins, and churches today that engage in politics, law enforcement, and cast a covetous eye at a policeman's stick, are doomed to similar failure. But if churches will defend Christ with the sword of the spirit, the word of God, the banners of Christ will not fall in the dust of defeat, but will conquer as He has conquered.

"You remember the fable of the sun and the wind and their debate as to which was the stronger. They could not settle the question, so they decided to try out their power on a passing traveler to see which one could make him take off his coat. The wind tried first. It blew and blew with increasing intensity, but the

harder the wind blew, the tighter the man clutched his coat about him. Finally the sun tried it. With full force it shone down from heaven, warmer and ever warmer, until finally the man took off his coat, and the sun had done with its warmth what the wind had failed to do with violence. You can take the sword of Peter, the sword of the blue laws, and smite away, but men will resist. But let the love of God, the cross of Christ, shine in its full redeeming beauty, and men will yield to its powerful influence."

Editorial Comment

The above arguments and facts speak for themselves. They are good sound logic. It is most refreshing to know that the Lutheran ministers of the Synodical Lutheran Conference entertain such clear views upon the subject of religious liberty and the separation of church and state. We only wish that every person in every State where Sunday laws are still existent upon the civil statute books, would have the opportunity to read this article, so that when they are called upon to vote on a popular referendum for the repeal or retention of these antiquated religious laws, that they might make an intelligent decision.

C. S. L.

Baptist Men's Bible Class Appreciates "Liberty"

(Concluded from page 111)

and the Baptists of that State have stood in the front ranks among the champions of religious liberty. We greatly appreciate the co-operation they have given us in our efforts to keep California a free State.

California's example has been a great inspiration to the liberty-loving citizens of other States. Four other States have followed her example, and have likewise repealed all their Sunday observance laws. Every State should repeal its Sunday laws just as they have repealed the laws which compelled all citizens to go to church on Sunday and to support religion by a public tax. Religious laws have no more business on our civil statute books than politics have in the church.

C. S. L.

National Recovery

(Concluded from page 101)

Cause for Alarm

We entertain the hope that our President will not imitate the example of Constantine the Great, by the issuance of a national Sunday observance code, under the authority given him by Congress under the National Recovery Act. We believe his good sense will lead him away from such a national catastrophe. We feel confident that President Roosevelt shares the same liberal views and will assume the same attitude as Congress has in the past upon this Sunday law issue, by refusing to compel one group of American citizens to conform to the wishes of another group on this religious question. To do what Congress has consistently and persistently refused to do by legislative act in this matter, is inconceivable, and yet the danger exists, since the proposition has been submitted to the President for acceptance.

The situation is such that Americans need to take alarm at this proposal and voice their opposition to it. When once a legal precedent is established by the Federal Government in favor of religious legislation and interfering with the conscience of the individual in religious matters, our heritage of religious freedom will be doomed. This priceless heritage is too sacred to be bartered away in order to fill our coffers with gold. Religious liberty is the most precious boon among all our temporal blessings, and should never be surrendered by anybody under any circumstances, even at the cost of life itself. For the sake of those who will live after us, we should be willing to make the supreme sacrifice to preserve liberty of conscience as an everlasting inheritance.



A PREACHER who does not practice what he preaches, is generally a legalist, seeking a law which will compel others to conform to his preaching.

Regulating Human Conduct by Statute

(Concluded from page 109)

Sunday, this nation will be a glorious Elysium. And the other fellow's rights and privileges are to this class always taboo.

It was not so long ago that one writer wrote, "A compulsory education law has been passed, a child labor law also; let's have a soul-saving one passed. Then we will build the temple of mankind on the granite foundation of good morals, and instead of churches decreasing, they will increase, and those who will help enforce this law will be doing an everlasting good to their fellow creatures."

And here is his line-up of the "how" to do this. He says: "I would advise a remedy in the shape of a law *compelling* every man, woman, and child in this country, physically able, to attend divine service on Sunday, and *insist* on their hearing the word of God; those who neglect such a duty to be punished by a fine or imprisonment."

How strange this man's salvation with its "compelling" by the power of "fine or imprisonment" is when compared, or rather contrasted, with the invitation of the Author of salvation, "*Whosoever will, let him take the water of life freely.*" But such is the conception some have of what is right for themselves, and for others.

Back of every such conception hides the bigot (and there is no unreasoning like that of the religious bigot) who would trample every other man's rights and privileges under his feet to gain his ends, and in the light of his own righteousness think he was doing God service.

Back of every ordinance compelling the observance of Sunday, back of all the selfishness and greed of men in their relations the one to the other, is that insidious, cunning, and crafty designing born from beneath, that would rob God of His right to direct His children, and would rob man of the right to do as he pleases—a right which God Himself will

not cross the threshold of a man's own will to interfere with.

Shall we not watch and smite every encroachment, on the part of either church or state, on our rights and liberties as freemen, ever exercising in all we do the counsel of the Author of liberty, "As ye would that men should do to you, do ye also to them likewise"?



Teaching Christianity in the Public Schools

(Continued from page 108)

think best; yet we pronounce it grossly unjust. It makes a distinction by State authority which cannot be made without violating the rule of equal justice; and when the Catholic, or the Jew, or the infidel protests against the distinction, he has justice on his side. He may be voted down, but he cannot be reasoned down. No amount of zeal can sanctify the injustice or make it anything but injustice.

"The same injustice in kind would be perpetrated if Catholicism or Judaism were thus taught in the public schools. The only difference would be that Protestants would be among the parties suffering the wrong. There is no doubt that they would very readily perceive it, and loudly declaim against it, however willing some of them may be to have the injustice inflicted upon others. No one who will look at this question candidly can maintain that any religious régime in the public school can be put into practice in this country of diverse religious beliefs without violating the rule, 'Whatsoever ye would that men should do to you, do ye even so to them.' The Saviour Himself, by the plain meaning of the rule, stamps the practice as wrong. It is not simply a mistake. It is more. It is a *moral wrong*, because it is not equal justice to the rights of all the people; and because the State makes a discrimination as to the religious faith of its citizens, and taxes all to support one of the forms of such

faith. It is church and state in the public school.

The Climax of Legal Tyranny

"But should not the *majority*, either in the school district or in the State, settle the question as to *what* form of religion shall be taught in the public school? We shall have occasion in another connection to consider this majority doctrine; yet here we say emphatically: No! The rule of the majority within the limits of those objects which properly come under the jurisdiction of civil government is a good rule; but when civil government exceeds those limits by undertaking to do things in respect to which it has no rightful jurisdiction, then the rule ceases to be operative. Majorities may then become the oppressors of minorities; and this is precisely what happens when the majority, whether in a State, a city, or a school district, imposes upon a minority the legal necessity of contributing to the support of a religion from which it dissents.

"There are no rights more sacred than those which relate to one's religious faith; and there is no injustice more abominable than that of compelling a man to aid in the support or propagation of a religious system which he regards as false. It is the very climax of legal tyranny. The object of the various clauses in regard to the rights of a religious conscience found in the bills of rights of the several State constitutions is to protect the minority in the matter of religion. They are designed to take this one subject out from the jurisdiction of government entirely, and leave it to individual conviction and choice, with simply an equal and impartial protection of the rights of all. We, hence, utterly reject the majority rule as a rule for civil government in relation to religion. It has no application to the question, and can never cancel the wrong of compelling the minority to pay taxes for the propagation of the religion of the majority.

"A public school in which no religion is taught invades the religious rights of

nobody. It taxes no one to teach religion. It simply lets this one subject entirely alone, and justifies its existence and support by general taxation on grounds which have no reference to religion, and in respect to which all have a common interest, however widely they may differ in their religious opinions.

"What the State does by secular education for the common good of the whole body politic, and hence by general taxation of the whole, in no way interferes with religious education by such agencies as parents or the church may choose to employ. It simply does not enter this field; yet it does not shut it up against others, or control it in any way. Religious education is to the State unoccupied territory, left entirely open to all who choose to enter it. The territory which it does occupy comes within the scope of its powers; and the occupancy furnishes sufficient advantages to the whole people to justify it at the public expense.

"If parents, for religious or other reasons, do not choose to use the advantages for a secular education afforded by the State, then this is and must be their own matter. The State, by the very terms of the case, puts nothing into the public school in conflict with any right of religious conscience which they possess; and if, nevertheless, they do not like the school, then they are at liberty to dislike it, and if they thus choose, to educate their children elsewhere, at their own charges. This is their privilege; and if they avail themselves of it, then so be it. Let them, however, not stultify common sense by saying that their religious rights are outraged, because they are taxed to support a public school whose single object is *secular* education—an object in which all the people, including themselves, have a common interest."

There are numerous religious organizations, such as the Catholic Church, the Jewish congregations, the Lutheran Church, and the Seventh-day Adventists, who conduct an extensive system of private schools in all grades to the fin-

ished product of the private university, at their own expense, so that they may have the privilege of teaching religion to their children. Why should not these other Protestant denominations who are so ardently clamoring for the teaching of their religion in the public schools at public expense, be willing to make the same personal sacrifices for the support of private schools of their own, so their children may be indoctrinated with their religion? It certainly is a gross injustice to ask a nonprofessor of religion, or a Jew, or a dissenting Protestant or Catholic, to pay for the teaching of a particular brand of Protestantism or Christianity in addition to the public taxes and private taxes now levied on them for the public education and the private education which they are now carrying on. The present system of public education, divorced from religious teaching and supported by general taxes, is the only equitable plan. Let all denominations that desire to teach religion to their own children do it at their own expense.

H. H. V.

Lutherans Favor Repeal of Sunday Laws of Pennsylvania

(Concluded from page 105)

who alone can show it the way to heaven. It is futile and impossible to command, or by force to compel, any man's belief. Heresy is a spiritual thing, which no iron can hew down, no fire burn, no water drown. . . . Whenever the temporal power presumes to legislate for the soul, it encroaches."

It is commendable in the Lutherans of the Missouri Synod that they adhere to the original principles of complete separation of church and state, as laid down by Martin Luther. Not all Lutheran churches have adhered to these principles. God has a remnant in every denomination who refuse to compromise, but continue to adhere to original principles and walk in the light as it is revealed to them. We hope the Lutherans

FOURTH QUARTER

of Pennsylvania will continue to agitate the question of the repeal of the Sunday laws until every vestige of religious legislation has been wiped off the civil statute books of the good old State of William Penn, who himself was opposed to such laws.

C. S. L.

Is There Hope for the "Christian Statesman"?

(Concluded from page 107)

diation of its former attitude? If so, we gladly extend to it the right hand of fellowship, and rejoice for the good work done; but we have our doubts, as it has been only a short time since that same paper was lauding to the skies the iniquitous Sunday law of Pennsylvania. It simply cannot be that the *Christian Statesman* has been really converted.

Shot for Fishing on Sunday

A GAME warden of the State of Pennsylvania shot a citizen of Philadelphia whom he detected fishing on Sunday contrary to the blue law of that State. Governor Pinchot has indicated that he is not in favor of enforcing the Sunday blue law in so barbarous a manner. The *Pittsburgh Sun-Telegraph* of June 13, 1933, in an editorial, makes the following comments on this outrageous affair:

"An unemployed man, the father of a family of children, went fishing near Philadelphia on Sunday. He injured no one, but he was violating the blue law. A game warden saw him, and called on him to surrender. As the fisherman did not obey, the warden shot him, though not fatally.

"The incident should strengthen the demand for the repeal of the blue law, with its ridiculous taboos.

"The legislature heeded the call for the relaxation of the law in respect to fishing, to the extent of authorizing Sunday fishing in the Delaware River. But Governor Pinchot vetoed the bill on the ground that Sunday fishing was contrary to custom in Pennsylvania—an insufficient reason for his action.

PAGE 121

"Fishing should be allowed on Sunday, not only in the Delaware but in all Pennsylvania streams. Fishing is one of the most inoffensive of pastimes. Izaak Walton called it 'the contemplative man's recreation.' It disturbs nobody.

"People should be encouraged to go fishing on Sunday, the only free day that many workers have."

"There is no moral turpitude in doing on Sunday what is perfectly legal on other days.

"Yet Sunday fishing is punished with fines and prison sentences as severe as are imposed by some of our Allegheny County judges for heinous crimes.

"A due sense of proportion calls for more lenient treatment."

It is alleged by some that Christ, after His resurrection, always met with His disciples upon Sunday. One of those occasions was a fishing trip on the Sea of Galilee. The disciples fished all night and caught nothing, but in the morning the Saviour met them and wrought a miracle by filling their nets to the breaking point. Under the Sunday law of Pennsylvania, Christ and His disciples would have been arrested as criminals for fishing on Sunday. Back in His day, Christ was arrested for doing even acts of charity on the Sabbath day. The self-righteous Pharisees are not all dead yet.

C. S. L.

Lawful to Sell Beer on Sunday, but Not Soda Water

(Continued from page 104)

amendment would seem to be unconstitutional. A clause of Paragraph 4, Section VII, Article IV, of the State Constitution provides:

"No law shall be revised or amended by reference to its title only, but the act revived, or section or sections amended, shall be inserted at length."

"Chapter 24, Laws of 1893, amends the Vice and Immorality Act by reference to its title only, by making it not unlawful (on Sunday) to print, publish, and sell newspapers, to sell and deliver milk, to walk, ride, or drive for recreation, and to hire horses, carriages, and other conveyances for riding or driving, and empowers the governing body of municipalities to adopt ordinances to regulate or prohibit the acts thereby made not unlawful and to prescribe fines and penalties for a violation of the same. However, it is possible that the courts might hold that the title is an erroneous one, and that it should be

construed as a supplement and not an amendment to the Vice and Immorality Act.

"Chapter 115, Laws of 1933, contains the above exemptions, and, in addition, further provides that it shall not be unlawful (on Sunday) to 'engage in or take part in any form of recreation, sport, or amusement, that is not unlawful on other days of the week.' It provides that the act shall take effect immediately, but that its provisions shall remain inoperative until the same have been adopted by a referendum vote at a primary or general election. It required a supplement (Chapter 138, Laws of 1933) and an amendment (Chapter 151, Laws of 1933) to make it operative at a primary election.

"Cites Confusion in Law

"If Chapter 24, Laws of 1893, is held to be unconstitutional, the acts amendatory thereof and supplemental thereto will naturally fall therewith. But if it is held not to be unconstitutional, the question arises whether it will be unlawful to print, publish, and sell newspapers, to sell and deliver milk, to walk, ride, riages, and other conveyances for riding or driving on Sunday, until the provisions of Chapter 115, Laws of 1933, are adopted by the voters of a municipality, for the reason that Chapter 24, Laws of 1893, is now in existence only in its amended form.

"The language of Chapter 115, Laws of 1933—that is not unlawful on other days of the week—recalls the fact that Section 8 of the Vice and Immorality Act (comp. stat.) provides that interludes, farces, plays, etc., shall not be exhibited, shown, or given on week days, unless in the opinion of three justices of the peace they are 'innocent or may probably tend to answer a reasonable or useful end' and give license in writing.

"The above statements clearly show the farcical attempts of the present and past legislators to evade their plain duty of repealing the Vice and Immorality Act in toto, and empowering each municipality to regulate Sunday observance. Every intelligent citizen knows that it is custom or the prevailing sentiment, and not the written law, that governs law enforcement. Honorable Newton D. Baker, former mayor of Cleveland and the great World War Secretary, stated in an article entitled 'Law, Police, and Social Problems,' published in the July, 1915, issue of the *Atlantic Monthly*, that it is 'futile to get officers, prosecutors, judges, and juries to do just what none of them will do, namely, convict people of crime for doing things that are the community habit and practice.'"

Sunday laws are the most inconsistent laws upon our civil statute books today. Whenever the state attempts to enforce a church ritual, the legislators become as

inconsistent as do the makers of the church creeds. Religion in politics blinds the vision and dethrones reason. It leads otherwise sensible men into all kinds of religio-political compromises and farcical maneuvers for the sake of expediency. The only sensible solution to this perplexing religious issue is a complete repeal of all Sunday observance legislation and a total divorcement of religion from politics. No religious sect and no religious dogma should be given a preference in civil law, nor in judicial decisions, above any other. All should stand on an equality before the law and the bar of justice.

C. S. L.

National Religion?

(Continued from page 108)

is a part of the Federal Constitution, and all the judges and all the laws of the United States are bound thereby and cannot go contrary to it. Article VI reads:

"All treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."

America Equally for All

No man, no religion, no race, and no language can claim this country as exclusively theirs. It was founded on the claims of none, but for the protection of all. All citizens, of every religious persuasion and of no persuasion, enjoy the equal protection of the law. Equality of privilege before the law is the corner stone of the American Republic. The Constitution of the United States has erected a barrier and placed limitations upon the highest lawmaking body, denying Congress the prerogative to pass laws which would uphold or oppose religion. The founders of this Republic aimed to protect all men, irrespective of their religious beliefs, without giving any legal sanction to those beliefs.

The Federal Government was to assume an attitude of absolute neutrality

upon all religious questions, and not to attempt to set up any standard of religion for any of its citizens. In religious matters the rights of the minority were to be protected equally with the rights of the majority. No sect and no creed was to be given priority or superiority claims in sanctions of law, or preference in judicial decisions.

Christianity Not a Part of Common Law

Some of the State supreme court decisions are frequently cited by political preachers and legal religionists as giving judicial support to the oft-quoted statement that "Christianity is a part of the common law." This claim is based on the assumption that the United States adopted the common law of England as its own common law. But this assumption rests upon two false premises:

First, it is assumed that the common law of England made "Christianity a part of the common law of England," which is now regarded by the highest court of England as "a legal fiction," which never existed in fact, so far as the decisions of the highest court of England are concerned. Since it never existed in fact as a legal proposition so far as the highest court of England is concerned, it cannot be anything else but "a legal fiction" so far as the American State supreme court decisions are concerned, as these American decisions were all founded upon the assumed fact that America had adopted the English common law and that the English common law made Christianity a part of that law. Now that the highest court of England has exploded that fallacy in a recent decision, the whole thing falls to the ground as a legal proposition.

In the second place, the United States never adopted the common law of England in its entirety, but only those portions of the English common law which were not inconsistent with the American form of government nor with its ideals and fundamental principles of civil government.

The highest court of the United States has repeatedly gone on record as opposed

to those portions of the common law of England which are in conflict with the American conception of civil and religious liberty and with the fundamental principles of separation of church and state. Even if Christianity were a part of the common law of England, which it is not, it would be preposterous to cite the English law in defense of an established religion by law in the United States, or in any State in the Union. Such an assumption as a legal proposition does not only contravene the expressed provisions of the Federal Constitution, but of every State constitution.

Many Court Decisions Unconstitutional

It will be readily admitted by all who have made a thorough research of court decisions, that our State supreme courts have rendered many decisions in favor of the Christian religion and its adherents as opposed to other religions and their followers. But these decisions have been the exceptions to the general rule, and they should never be cited as the prevailing opinion of our courts in America. Occasionally, a judge will allow his religious predilections to get the best of his judgment, and influence his decisions in favor of his own religious convictions, when prudence as well as judicial propriety should teach him to remain silent altogether upon the subject of religion, and decide each case on its civil status. A judge ought to decide each case on its merits without coloring it with religion.

The mixing of religion with political questions is bad business, and can only result in much harm to religion. There never could be religious persecution if the church and the state were completely divorced. The slightest union between church and state is the signal for a flood of religious legislation. Any attempt to unite the church and the state, or to establish religion by law, even the Christian religion, should be nipped in the bud at its very incipency. The church and the state flourish best when each acts separately and independently, each in its own distinctive sphere.

Where Civil Government Is Helpless

BY W. S. RITCHIE

CIVIL government is necessary in the world because of unnatural conditions. There would be no need of the kind of stress it employs in a perfect state of society. By a perfect state of society we mean where every one is influenced by the principle of good will or love—that one original law designed by the Creator to govern all relations between His intelligent creatures; for it is obvious that if all were governed by love, no one would knowingly do any wrong or injustice to another, and if he had unwittingly done so, he would, if in his power, make amends when his attention was called to it. If he was unable to make amends, the other would forgive him his trespass. In either case no force of civil government would be necessary.

The need of civil government, then, is to maintain in an entirely different way comparative order in the spheres where the law of love is failing to operate. The less of love there is, the more need will there be of civil government. But civil government cannot maintain comparative order unless a majority sentiment in favor of justice (an essential part of love and good will) is back of it to sustain it. Civil government cannot maintain even comparative order where the overwhelming sentiment is against the rule of love, without resorting to another expedient still more remote from the rule of the law of love.

Thus in a state of society where love still controls to a considerable degree, the best counsel will prevail, no matter from what source it comes. As good will dies out and fails to influence society and civil government, and there is in-harmony and disagreement among legislators, the necessity for a dictator appears. For a kind of order can still be maintained in this way when a single mind or fewer minds control the whole body of society. In an absolutely perfect state of government it is not nec-

essary that any one should dictate. There would be no heads of government functioning by any other stress than love, which induces willing, joyful obedience.

It is quite generally agreed that lack of confidence among men is the cause of financial difficulties, as there is no lack of material things to do with; and the origin of these troubles appears to be in the realm of the spiritual. But it is not so apparent to all that the failure of the law of love to influence the world is the cause of the lack of confidence. Love alone inspires confidence, whether it be in the sphere of the lower animals or among men. As civil government cannot at all produce or induce love, it cannot produce confidence among men, and can therefore do nothing fundamental to produce financial prosperity.

This truth is realized by some of our leading thinkers, and they are saying that the world's help must come from the realm of religion. This is the conclusion that the world's best thinkers have many times emphatically voiced, and is the very truth.

But right here a deceptive and disastrous error has often been committed. It has been thought that the forms of religion enforced by civil law would induce prosperity and happiness. It is overlooked that civil law cannot produce by force that love which is the only basis of confidence, and thus the only foundation of financial and all other prosperity and happiness. No matter how much the forms of religion are enforced by law, it does not increase the amount of love and good will in the world, the one essential thing. Rather, it does the reverse. It confuses the minds of people concerning the nature of true religion, the real source of love, which is the real source of prosperity. For it will be reasoned that if religion is something that does not commend itself, to the extent that it has to be enforced by law it cannot be anything at all desirable; and the people, supposing that it is the true religion or the best one, at least, which is being enforced, conclude

FOURTH QUARTER

ultimately that they want none of it, and react, often violently, against all religion, and are in a worse state than if they had been left alone regarding religion.

It would be even more disastrous to enforce the forms of true religion than of false ones, for in the latter case the double error is more apparent. In the matter of holy days it would be much more disastrous to the world to attempt to enforce the true Sabbath than a false one, as people would naturally expect a false sabbath to be connected with other errors. Thus the wrong principle of enforcing religious things by law would help discover the other error of a false day. In the case of the true Sabbath being enforced by law, the deception would not be so evident. But there could be no possible good, but only harm, in either case of enforcing any day or any form of religion by law.



The Futility and Harmfulness of Sunday Laws an Unbaited Hook

BY H. B. MAURER

THIS article is prompted by the arrest recently of the managers of the New York Hippodrome for giving an operatic performance on Sunday.

It is high time that a foolish, futile, and anachronistic law be repealed either by direct legislation or by referendum, the latter course being preferable because of the cowardice of legislators.

A Discredited Law

If ever a law or constitutional provision were indictable because it engenders disrespect for all law, we can inveigh against the Sunday observance law very emphatically on that ground, for all over the land it is honored by its breach. Even many church members are not overmeticulous about Sunday observance.

In 1883 California repealed its Sunday law, and the legal Sunday observance enforcers have sought to obtain its

PAGE 125

restoration, only to be snowed under by increasing majorities at each attempt.

Irrked by the fact that the District of Columbia has no Sunday observance law, its advocates have for years striven in every session of the Congress to secure one; they die hard.

Five States have repealed their Sunday laws, the most recent one being Wisconsin. Other States now grant local option on Sunday enforcement.

It is noteworthy that there is no difference in the respect shown Sunday observable between those communities which have no Sunday observance laws and those which have. Rest, for religious reasons or otherwise, should result from moral suasion in the home or the church, and not from compulsion. As for the contention, often insincerely made, that one day's rest in seven is essential to health, I no more want such advice from legislators or from the clergy than to be told that to mix pickles with ice cream in the same meal is harmful. I prefer such advice from my physician.

Religious Persecution Results

They who depend upon the strong arm of the state to bolster up religious observances, reflect scant credit upon themselves or the institution they thus desire to honor. They lack the wit to see that in such matters the state should not, and need not concern itself; and if they know, as they should, that legal enforcement of religious observances is a relic of the union of church and state, they will not admit it.

A potential means, and the only one, for persecution for conscience' sake, left in the United States, inheres in its Sunday laws; in so far as the state interferes in such matters, it fosters persecution.

In some of the Southern States within recent years, fine, upstanding men and women have been imprisoned, and even made to labor in chain gangs with real criminals, because they dared exercise their constitutional right to engage in labor on Sunday or to refrain from it as they saw fit, a right which they accorded

to all others, and interfered with no one.

I make no plea for any religious sect. Differing religious views and practices do not concern me. I am, however, profoundly concerned in the broader question of genuine religious liberty for all shades of religious belief.

Equal Justice Demanded

From time to time, successful efforts are made by different groups to be exempted from the provisions of Sunday laws. *But all this is wrong*, as no such exemption should be granted if the law be right; and if it be not right in principle, it should be absolutely repealed. The Jeffersonian doctrine of "equal and exact justice to all, and special privileges for none," applies emphatically in such cases.

It is often asserted that legal Sunday observance enforcement is in the interest of public morality. There is no foundation whatsoever to sustain that contention, as is concretely demonstrated everywhere. For years, to take one case, the Sunday law was honored by its breach in Milwaukee. There are few, if any, cities which attain the high level of civic virtue observable there.

Purer Religion

A study of Sunday observance enforcement laws discloses that everywhere their object is to promote church attendance. The secretary of the Lord's Day Alliance denies this in one breath, in a public statement, and in the next he says, "We propose, by legislation, to make it easier for people to go to church," and then proceeds with a long list of prohibitions on Sunday. I certainly hope that this program may be realized to the fullest extent, apropos of President Grant's dictum: "The way to get rid of a bad law is to strictly enforce it." Not a mother's son goes to church because of the law, while thousands remain away from it on that account, as they are irritated and resent the interferences with private conduct. No sensible fish would bite at an unbaited hook, as the Sunday observance

enforcers seem to expect the American people to do.

Repeal the Only Remedy

If there be justification for any legislation whatsoever on the subject of rest on any given day for religious reasons or otherwise, it should be to protect those who desire to rest, but that is a far cry from compelling rest. There are sound and grave reasons, however, against legislation on any phase of the matter.

Now that the rising spirit of religious liberty on one hand and the reactionary spirit of intolerance on the other are striving as never before each for the mastery, it behooves the American people to arise in their strength and cast off the fetters of religious laws which have come down to us from colonial days.

FAITH spurs that man to persevere
Who deems his cause as right;
Though skeptics scorn and scoffers sneer,
Naught puts that man to flight.

—H. B. Maurer.

NEWS AND COMMENT

Atlanta Mayor Fights Blue Law

MAYOR JAMES L. KEY, of Atlanta, Georgia, advocates the repeal of the Sunday blue laws, and gave permission for the playing of a baseball game on Sunday, August 13. The Sunday blue law advocates, mostly the ministers of Atlanta, are opposing the mayor, but Mayor Key merely smiles, believing that public sentiment is in favor of Sunday baseball.

Sweet Revenge

MANY of the cities of Ohio are repealing their Sunday laws by popular referendum. Henry Jandorf writes that he takes great satisfaction in this liberal movement, since his father was "jailed in Sandusky, Ohio, in 1849, for publicly speaking against the enforcement of

Sunday laws." We hope that no city in Ohio will again return to such a state of intolerance. But as long as compulsory Sunday observance laws are retained upon our statute books, such injustice is likely to be perpetrated.

A Discriminatory Sunday Law

THE Commissioners of the District of Columbia recently enacted an ordinance forbidding venders from selling their wares on Sunday, and scores of venders were arrested under this discriminatory Sunday blue law. The inconsistency of the whole thing lies in the fact that beer is sold everywhere in the District of Columbia on Sunday; baseball, moving pictures, and stores operate freely under the law on Sundays, but the downtrodden class of fruit venders on the street are denied the privilege of earning something on Sunday so they may have something to eat on Monday. The Commissioners have done what Congress has repeatedly refused to do, namely, to pass a Sunday observance law for the District of Columbia.

Denying Freedom of the Press

JUDGE WILLIAM G. DE MEZA, of Elizabeth, New Jersey, sentenced thirteen tract distributors of religious literature to ten days in jail for canvassing without permits. The judge offered to suspend the sentence in each case, provided each person arrested would promise to cease the distribution of pamphlets issued by a radio evangelist. The prisoners refused the offer, and submitted to the unjust decree, reserving the right to distribute pamphlets in the future.

Such a city ordinance is in violation of the Federal Constitution as well as the State constitution of New Jersey, which grants freedom of speech and of the press to every individual, even without a license or permit from local authorities.

Philadelphia Under Sunday Ban

WHILE most of the large cities in this country have lifted the Sunday observance ban so far as Sunday amusements are concerned, Mayor J. Hampton Moore, of Philadelphia, has clamped the Sunday lid down tight on all public amusements.

The mayor is not a Sunday blue law advocate, but he believes that the best way to get a bad law repealed is to enforce it. A referendum will be held on the Sunday blue law relative to Sunday amusements at the coming November election.



Sunday Law Referendums

HUNDREDS of municipalities in the States of Pennsylvania and New Jersey are going to vote on the question whether Sunday amusements and Sunday sports shall be legalized which are now prohibited under the Sunday blue laws of these two States. In many of these municipalities they are now countenanced in spite of the existing Sunday laws. Public sentiment will now be given a privilege to determine the issue.



Sunday Law Declared Un-constitutional

THE Fox West Coast Service Corporation, owner and operator of the Fox, Strand, Midland, and Royal Theaters in Hutchinson, Kansas, obtained an injunction from the Reno County district court enjoining city officials from arresting the amusement concern for alleged violations of the city Sunday observance ordinance, the court ruling that the Sunday law was "arbitrary, unreasonable, and discriminatory in its operation, and therefore illegal, void, and unconstitutional."

The city officials appealed the case to the supreme court of the State, and lost their case. The supreme court dismissed the appeal, and so the injunction was

made permanent, and Sunday motion pictures are permitted in Hutchinson on the ground that the Sunday law is "illegal, void, and unconstitutional."



Sparks From the Editor's Anvil

NEVER counsel with your fears in the path of duty.

A FOOL is fooled when he does not know that he is a fool.

THE reckless abandonment of essential rights makes wise men mad.

EVERY person is the architect of his own fate or fortune for the world to come.

POPULAR government never appoints a dictator to impose his will upon the people.

A SHIP without a rudder is no more unstable than is a man without a conscience.

IT takes no brains to plunge a nation into war, but it takes a wise statesman to maintain peace.

THE ten commandments are one chain of ten links, and the strength of the whole law hangs on each link.

A MAN without character among men is like a chicken without feathers among chickens, each having lost dignity.

HE who refuses to bear his cross in time will be denied the privilege of wearing a crown of glory in eternity.

FREEDOM of the spirit should never lead the individual to disaster, nor cause him to inflict an injury upon society.

SELF-DETERMINATION in government does not mean a government of each for himself, but of each for all the rest.

FOR a Christian to persecute Christians is as great an enigma as for a Christian to become a heartless murderer.

LIBERTY is not a license to disregard all authority, but a compass to steer your course through a safely chartered channel.

Meaning of the Flag

By Thomas E. Hirst

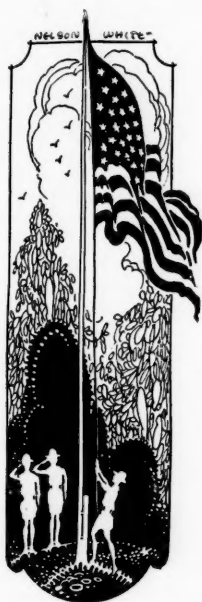
O thou dear flag of liberty,
Within thy rippling folds I see
A vision fair of my own land
And all that makes its glory-strand:
Its spreading plains, its rolling hills—
My soul with sweetest music thrills.

I hear its waters rushing on
To fill the earth with Freedom's song,
As to the seven seas they flow,
That all the world may see and know
The grandeur of a calling great,
The wonders of a glorious state.

Thy stars reveal the wisdom wise,
The truth endowed with far-off skies,
Which moved brave souls to speak the
word,
That passioned men by what they
heard,
Until the cruel yoke they broke,
And thus the song of freedom woke.

Thy field of blue, so deep, so true,
Bespeaks a glory ever new,
As through the cycles of thy time
Came forth the truths which are sub-
lime,

As that far-distant empyrean
Revealed new stars to lowly man.



Thy bands of red speak of the dead,
Who, in their offering, blood-red,
Were not afraid to spend a life,
Were not afraid of hatred's strife,
But offered on thy virgin shrine,
A gift of love almost divine.

Thy lines of white, so pure, so bright,
Came to a world when tyrant blight
Had all but strangled Hope's last cry,
Had all but silenced Freedom's sigh;
And men resolved to brave the pain,—
Wash out in blood the blighting stain.

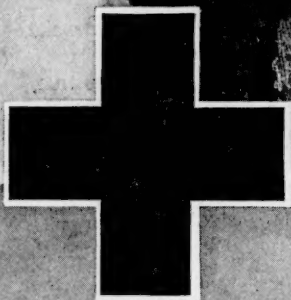
Brave flag, thy folds have one dear
name,

It is the land born of thy fame,
"America," where men are free,
Where proudly lives fair Liberty.
I own this name as treasured store,
Each priceless tale that makes thy lore.

JOIN



AMERICAN
RED CROSS



THE ROLL CALL, NOVEMBER 11 TO 30

